

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

IN RE:

THE DIOCESE OF ROCHESTER,

Debtor.

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) Chapter 11
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) Case No. 19-20905 (CGM)
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**STATEMENT OF OFFICIAL COMMITTEE OF UNSECURED
CREDITORS REGARDING DEBTOR'S MOTION TO EXTEND
EXCLUSIVE PERIODS PURSUANT TO 11 U.S.C. § 1121(d)**

The Official Committee of Unsecured Creditors (the “**Committee**”) of The Diocese of Rochester, the above-captioned debtor and debtor in possession hereby submits its *Statement of Official Committee of Unsecured Creditors Regarding the Debtor's Motion to Extend Exclusive Periods Pursuant to 11 U.S.C. § 1121(d)* (the “**Motion**”) [Docket No. 338], and respectfully states as follows:

1. The Committee does not object to the Debtor's Motion to extend the exclusive periods to file and solicit acceptance of a plan of reorganization. Notwithstanding the Committee's “non-objection”, the Committee and the Debtor are still negotiating certain important gating issues that, once resolved, could facilitate progress in the case.

2. The Debtor and the Committee have engaged in extensive negotiations regarding a number of issues, including document production by the Debtor, an interim stay of CVA litigation against parishes and schools, insurance coverage, and various matters addressed in the Debtor's first day pleadings. Importantly, the Committee and the Debtor negotiated a stipulation to refund tuition payments to families that received scholarships, but had already made tuition payments prior to the petition date. This stipulation was initially suggested by the Committee Chairman at the Debtor's 341 meeting.

3. The Committee, shortly after its formation, delivered an extensive document request to the Debtor, and the Debtor agreed to produce documents subject to negotiation of a non-disclosure agreement. Notably, the Debtor states that it has gathered thousands of responsive documents. [Motion, par. 7] To date, the parties have not finalized a non-disclosure agreement.

4. The Committee and the Debtor also have had extensive negotiations regarding a partial interim stay of litigation claims against Debtor-affiliated non-debtor CVA defendants.

5. The Committee and the Debtor have had multiple discussions regarding a claims bar date for sexual abuse survivors. The Debtor is working on a bar date motion and stated that it intends to file it shortly. The Committee anticipates reviewing a draft of the motion (including its exhibits) and discussing the terms with the Debtor before it is filed and, if necessary, continue discussions during the notice period. The Committee further expects that a bar date motion will be ruled upon in advance of the proposed expiration of the proposed deadline to file a plan of reorganization.

Date: January 7, 2020

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/s/ Ilan D. Scharf

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